

MICHIGAN STATE WATERWAYS COMMISSION
REGULAR MEETING

Minutes of the meeting of
May 21, 2004
Detroit/Wayne County Port Authority Office
8109 E. Jefferson
Detroit, Michigan

A regular meeting of the Michigan State Waterways Commission was called to order by Chairman Opolka at 9:00 a.m. on Friday, May 21, 2004, in the Detroit/Wayne County Port Authority Office, Detroit, Michigan. The following Commissioners were present:

Frank Opolka, Chairman
David V. Johnson, Vice-Chairman
Curtis A. Hertel, Sr.
Janet Mansfield
Carol B. Oakley
John Winn

Commissioner David Giffin was excused.

K. L. Cool, Director, along with George Burgoyne, Resource Management Deputy and Lansing Michigan Department of Natural Resources (DNR) staff were present.

Chairman Opolka thanked Commissioner Hertel, Director for the Detroit/Wayne County Port Authority for their hospitality and the use of their conference room.

Mr. Dick Moehl, President of the Great Lakes Lighthouse Keepers Association, appeared and made reference to a letter dated April 26, 2004 addressed to the Waterways Commission. The letter made two requests of the Commission: 1) An assurance of mooring space in a marina near each of the 20 offshore lighthouses (recently transferred from the U.S. Coast Guard to authorized non-profit groups) for use by members of lighthouse preservation groups on official business and by minimizing the cost of the space as an ongoing "grant" and 2) Use of the Old State Ferry Dock in Mackinaw City for the future home of the historic decommissioned icebreaker Mackinac-83. Mr. Moehl also stated he was concerned that the cormorant population was having a detrimental effect on the preservation of historic lighthouses.

Chairman Opolka thanked Mr. Moehl for his comments and stated the Waterways Commission would be happy to review a request from the Great Lakes Lighthouse Keepers Association when specific recommendations are presented. Mr. Moehl provided his appreciation to Chairman Opolka and also complimented the DNR on the new park and harbor at Tri-Centennial State Park and Harbor.

Mr. Van W. Snider, Jr., President of the Michigan Boating Industries Association (MBIA), expressed his appreciation to the Commission and the DNR for the fine facilities at Tri-Centennial State Park and Harbor.

Mr. Snider provided an overview of the Clean Marina Michigan program, which is a public-private partnership involving the marine industry, academic institutions and state government, in particular, MBIA; Sea Grant Michigan through Michigan State University and the University of Michigan; and the Michigan Department of Environmental Quality. The Clean Marina program encourages marinas to develop technically sound and economically achievable approaches to prevent the release of hazardous substances and reduce the generation of waste. A simple 10-step process helps marinas achieve a clean marina designation.

Mr. Snider believes this program provides a good opportunity for the state of Michigan to partner with this voluntary stewardship program.

Mr. Ray Underwood, Muchmore Harrington Smalley & Associates, provided background on the House Resolution to put on the ballot in the fall of 2004 an initiative (The Michigan Conservation Heritage Act) whose purpose is to protect the funding sources for waterways programs. He noted that there have been instances in the recent past when monies have been put into a fund by users, but the legislature has seen fit to use the fund for purposes other than its original intent. This initiative has the backing of the Michigan United Conservation Clubs and other user groups who pay fees into a specific fund and believe their funds must be kept intact and used for its intended purpose.

Chairman Opolka recognized Representative Kathleen Law.

Mr. Benjamin Bernoudy, Southfield, thanked the Waterways Commission for reducing the rates at the Henderson Marina in Detroit. He believes this rate reduction will contribute to a successful season for Henderson.

Mr. Bill Simms, Grosse Pointe Woods, welcomed Director Cool and the Waterways Commission to Detroit. He stated he was unable attend the Dedication at Tri-Centennial, but appreciated the park and marina's presence in Detroit. He invited the Commission to tour Henderson Marina if time allowed.

Mr. Mark English, Commodore of Grayhaven Sail Club, and Mr. Ray Litt, Grayhaven Sail Club member, discussed the situation at Grayhaven Marina. The marina is located at the foot of Connors Street and the Detroit River, and has been closed for last 4-5 years. The Sail Club is interested in reopening the marina and they mentioned that a letter was sent last year to the Commission inquiring into this possibility.

Mr. Bill Boik stated that the State of Michigan is in the process of an engineering study for the facility at Grayhaven, but that funding is an issue. The Department of Natural Resources is investigating some grant sources for possible funding.

Mr. English stated that the Grayhaven Sail Club is now a 501(c)(3) organization, which he believes makes it more attractive for the Club to apply for and receive grants.

Upon motion of Commissioner Mansfield, seconded by Commissioner Oakley, the minutes of the April 16, 2004 meeting in St. Joseph were approved.

Project Status Report

Mr. Boik provided a packet of information detailing the status of Active Waterways Projects. The following are Grant-In-Aid projects: St. James Township/Beaver Island; Garfield Township/Naubinway; South Haven-Northside Municipal Marina; Charlevoix; St. Joseph-West Basin Marina; Manistee; St. Clair; Harrisville; Whitehall; Escanaba North Shore; Traverse City Clinch Marina; Acme Township; Escanaba Aronson Island; Cross Village; Holland Kollen Park; Ludington Loomis Street; Luna Pier; Burt Township; Elmwood Township; Grand Haven; Manistee; Muskegon Hartshorn; Petoskey; Iron Mountain West Lake Antoine.

The following are State Programs: Cedar River; Cheboygan Lock & Dam; Detroit-Tri-Centennial; Detour; Fayette State Harbor; Hammond Bay State Harbor; Mackinac City; Mackinac Island; Presque Isle; East Tawas; Lexington; State Harbor Dredging Projects-Little Lake, East Tawas, Lac Labelle, Eagle Harbor, Detour, Whitefish Point, Fayette; Bankson Lake; Belleville Lake West; Big Lake; Big Pine Island; Ludington State Park Hamlin Lake; Center Lake; Chippewa Lake; Clifford Lake; Clinton River Cutoff; Crystal Lake; Cub Lake; Decker's Landing; Devil's Lake; Donnell Lake; Duck Lake (Baraga); Duck Lake (Rose Lake) East Tawas; Five Lakes; Gaylanta Lake; Jackson Field Office; Lake Avalon; Lake Cora; Lake Fenton; Lake George; Lake Macatawa; Lake Margarethe; Lake of the Woods; Lincoln Lake; Long Lake; Marble Lake; McCormick Lake; Ocqueoc River; Pickerel Lake; Pigeon Lake; Pine Hill; Randall Lake; Round Lake; Saginaw River Mouth; Silver Lake; South Lake; Sterling; Sulak; St. Clair Fishing Site; Thumb Lake; Tompkins Bridge; Trout Lake; Whites Bridge; Whitmore Lake; Yankee Springs Gun Lake.

Mr. Boik highlighted a number of high profile or unique projects:

Cedar River project is on-going, but some construction and land acquisition issues have delayed the opening. He anticipates completion this summer.

East Tawas project is in the punch list phase.

South Haven Municipal Marina's north side is now substantially complete for upgrades and renovation.

Crystal Lake Boat Launch is still a politically hot topic. The Department of Natural Resources was required to mitigate a small wetlands area, approximately 2/3 of an acre, by the Department of Environmental Quality. The DNR has worked with a consultant to

dedicate another DNR owned piece of property west of the project site as a wetlands area in exchange for the area at the boat launch site.

North Shore Boating Access Site in Escanaba is nearly complete. The contractor is waiting for the snow to be gone in order to finish striping the parking area.

Ocqueoc River and Presque Isle BAS have crews currently working on the projects.

Pigeon Lake BAS in Ottawa County, project is substantially complete. The contractor's excavator went into the water up to cab and they dealt with some unexpected toxic issues.

The Department of Environmental Quality (DEQ) has requested more information regarding the location of the docks for the Charlevoix project. Commissioner Winn is working with the community, the designers and DEQ. Mr. Boik commented that the DEQ has not traditionally been involved in the specifics (size of dock, walkways, etc.) of a project before, so their approach is an unexpected consideration.

Commissioner Winn stated he appreciates the new format of the "Status Report of Active Waterways Projects" prepared by Mr. Boik as it is logical and easy to read.

Operations Status Report

Mr. Harold Herta, Parks and Recreation Operations Unit Supervisor, provided the Commission with an update on the Central Reservation System (CRS). A tri-fold brochure has been printed and distributed which provides a succinct summary of what is needed to make reservation via the CRS, important information to know once a reservation has been made, how to cancel a reservation and general information about Michigan waterways.

Mr. Herta stated that all harbor usage indicators have increased over last year – reservations are up over 20 per cent; slip overnight usage over 26 per cent; 42 percent of these transactions are completed via the internet. He reported that 28 harbors are now on the reservation system. He stated that the DNR has invited interested Grant-In-Aid harbor/marinas to attend training seminars for the reservation system.

Mr. Herta stated that training is provided by Spherix, the contract vendor for the reservation system and that training is offered at a number of different locations across the state.

The DNR is piloting a Point of Sale system at 6 harbors for the 2004 boating season. The test sites are 3 state harbors (East Tawas, Presque Isle and Port Austin) and 3 Grant-In-Aid harbors (New Buffalo, St. Ignace, St. Clair). The purpose of the pilot is to get a feel for what the system can do and to see what the financial reports will look like.

Mr. Herta reported that the Point of Sale (POS) system was designed to be both simple to operate as well as flexible. Based upon staff input, certain components of the POS have been modified to allow easier and better methods of input and reporting. In addition, an attractive feature of the system allows each harbor master access to the master inventory listing and allows for customizing the listing of items they sell and related pricing. This system allows the harbor master to have complete inventory and pricing control without relying upon the DNR or the contract vendor.

Commissioner Johnson asked if there are harbors that are supposed to be on CRS based upon grants given by the Waterways Commission. Mr. Herta replied that the DNR was looking into this issue and will have a list prepared shortly.

Commissioner Winn recalled that a few years ago the Waterways Commission had addressed the problem of boaters who made reservations for every weekend and then just canceled whenever they didn't need the reservation. Commissioner Winn believes this is a fairness issue and asked if the new system would be able to track this type of abuse. Mr. Herta replied that the CRS can indeed run a report and see who and when reservations were made and canceled and that it could be reviewed for any indications of abuse.

Commissioner Johnson reported that he attended the Natural Resource Commission's Administration and Finance committee meeting in Lansing on April 30. He publicly commented, on behalf of the Waterways Commission, that the Waterways Commission supports fund protection.

Director K. L. Cool provided his personal comments on Tri-Centennial State Park and Harbor and the May 20, 2004 Dedication. Director Cool said the concept for having a State park presence had been discussed for many years. He believes one factor which helped in making the park a reality was the involvement of Commissioner Curtis Hertel. He stated it made all the difference when Commissioner Hertel helped secure the acreage currently allotted for the park and harbor. He believes that the Detroit Riverfront Conservancy will continue to provide the team effort needed to drive the rest of the riverfront plan to completion.

Commissioner Johnson praised Director Cool and DNR staff for the incredible accomplishments attained at Tri-Centennial State Park and Harbor. He believes this is a turning and tipping point for the state of Michigan, the City of Detroit and the public's access to the Detroit River.

Commissioner Oakley and other Commissioners echoed Commissioner Johnson's sentiments.

Director Cool praised Vicki Anthes, Parks Planning Section Chief, for her fine negotiating skills. He stated that Ms. Anthes' approach to this project was quiet but very determined and that she was an integral part in helping to make the project happen for the state.

Ms. Anthes thanked the Director for his comments and stated that, as a native Detroit, she appreciated the opportunity of working on this project. She looks forward to completing the maritime history and urban outreach portion. She further stated that the number of stakeholders involved in the project working as a team has been tremendous.

On behalf of the Waterways Commission, Chairman Opolka thanked the Director and all who had been involved in the project.

New Business

Mr. Boik stated the Sebawaing Harbor transfer is still in process.

The City of Harrisville requested a variance from their current seasonal boat slip allocation. Currently, Harrisville Harbor has a total of 98 boat slips of which 22 are designated as seasonal slips. The city is requesting an additional 25 to 30 slips to accommodate the wait list which has been carried forward from the last five years. The city stated they have never turned a boat away from utilizing the harbor.

Upon motion by Commissioner Johnson, seconded by Commissioner Mansfield, it was unanimously

RESOLVED, that the Waterways Commission does hereby approve the City of Harrisville's request of a variance to increase the number of seasonal slips for the 2004 boating season to 49. This approval is contingent upon the City of Harrisville submitting an annual report and daily log to the Waterways Commission at the end of the 2004 boating season verifying transient use and methods used to insure that no transient boaters are turned away. This report must show actual numbers, percentages of use as well as any other detail specified by staff to allow a thorough evaluation. Additionally, this approval is contingent upon participation by the City of Harrisville in the DNR's Central Reservation System.

Chairman Opolka thanked Commissioner Hertel and the Detroit/Wayne County Port Authority for the breakfast and meeting room provided to the Commission.

Commissioner Hertel remarked that it was the Port Authority's honor to have hosted the Waterways Commission Meeting at their facility and offered the facility to the Commission and the Department for other meetings they may have in the Detroit area.

Commissioner Opolka recognized George Burgoyne for his contributions to the Michigan State Waterways Commission as this may be his last meeting. Mr. Burgoyne is the Resource Management Deputy and has worked as the DNR contact to the Commissioner. The date certain for Mr. Burgoyne's departure is fluid as his final retirement plans are dependent upon the completion of his commitments to the DNR. Mr. Burgoyne stated it has been his privilege and honor to have worked with the many fine members of the Michigan State Waterways Commission and DNR staff.

On behalf of Director Cool, Mr. Lowen Schuett, Assistant Chief, Parks and Recreation Division, extended thanks to Linda Burnham, Assistant to the Waterways Commission for her help in arranging the Waterways Commission meetings for the past two years.

Chairman Opolka noted the transition from Director Cool's leadership to incoming Director Rebecca Humphries leadership appears to be progressing smoothly. On behalf of the Commission, he again expressed thanks to Director Cool and welcomed Director Humphries to her new position.

The meeting was adjourned at 9:50 a.m.